

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:05CV353

WATER OUT DRYING CORP.,

Plaintiff,

vs.

ROSS ALLEN and WATER OUT FLASHING,  
INC,

Defendants.

ORDER

This matter is before the court upon *pro se* Defendant Ross Allen's "Motion to Bar Entry into Evidence any Content From the Deposition of Ross Allen by Plaintiff Council (sic)," which the court will treat as a motion *in limine*, and "Motion for the Court to Cancel the Order Dated 3-21-07," which the court will treat as a motion to reconsider its Order of March 21, 2007 granting Plaintiff's Motion to Compel.

The court will first address the motion *in limine*. Defendant Allen seeks to have the court exclude the transcript of his deposition from the record in this case. However, Defendant fails to assert any proper basis for excluding the deposition. Pursuant to Rule 32 of the Federal Rules of Civil Procedure, depositions are admissible unless somehow barred by the rules of evidence. Accordingly, this motion will be denied.

The court has reviewed the Defendant's Motion for Reconsideration of its Order of March 21, 2007. The motion fails to allege any proper basis for the court to reconsider its Order.

IT IS THEREFORE ORDERED that Defendant's "Motion to Bar Entry into Evidence any Content From the Deposition of Ross Allen by Plaintiff Council (sic)" and "Motion for the Court to Cancel the Order Dated 3-21-07" are hereby DENIED.

Signed: May 31, 2007



Graham C. Mullen  
United States District Judge

